v. Morris, 105 U. S. 600; but for the welfare of the city, the mayor and council were considered to have the power to mortgage the city waterworks to secure the payment of bonds lawfully issued for the construction of the same. *Adams v. Rome,* 59 Ga. 765; *Society v. City,* 31 Penn. 183; *Dillon, Mun. Corps.,* Sec. 579. It is upon these grounds that the decision in the principal case is based.

NEGLIGENCE—BOILER EXPLOSION—INJURY TO ADJOINING PREMISES.—ANDERSON V. HAYS MFG. CO., 56 ATL. 345 (PENN.).—A person employed to inspect a boiler in a factory negligently overlooked a defect. The boiler exploded and plaintiff's house was injured. *Held,* that the owner of the factory, not being negligent in selecting the inspector, is not liable.

This decision is contrary to the established rule of law that a master cannot exempt himself from liability for the negligence of his servants by care in their selection. Even where a man has employed an independent contractor he is liable for injury from a defect in the work after its completion and acceptance. *Gorham v. Gross,* 125 Mass. 232; *Vogel v. N. Y.,* 92 N. Y. 10. The authorities cited in the present case are those involving either the fellow-servant doctrine or that of contributory negligence and thus are not in point. The work had been completed and accepted and the owner would in most courts have been held liable whatever the relation that existed between him and the inspector. *Cotter v. Lindgren,* 106 Cal. 602; *Khron v. Brock,* 144 Mass. 516.

NOTARY—ACKNOWLEDGMENT — INTEREST — DISQUALIFICATION. — BANKING HOUSE V. STEWART, 98 N. W. 34 (NEB.).—*Held,* that a cashier of a bank, employed on a fixed salary, is not disqualified to take an acknowledgment to a mortgage given to the bank,—even though he is related by marriage to the owner of the bank.

On this question the law is in conflict, and no rule can be laid down which will afford a safe test in all cases. The majority of decisions hold that a person cannot take an acknowledgment of an instrument in which he has an interest. *Wasson v. Connor,* 54 Miss. 351; 1 *Cyc.* 553. However, unless the acknowledgment is clearly fraudulent, a person related to the parties may take it. *Lynch v. Livingston,* 6 N. Y. 422; 1 *Bouvier,* 66-67. A stockholder in a bank cannot acknowledge a mortgage where the bank is beneficiary. *Smith v. Clark,* 100 Iowa 605. But, by the latest decision a stockholder may acknowledge a deed when the corporation is grantor. *Read v. Loan Co.,* 68 Ohio St. 280. *Contra, Bank v. Spencer,* 26 Conn. 195 (1856). Among those disqualified by interest are: partners for co-partners, *Bank v. Radtke,* 87 Iowa 363; grantors, *Davis v. Beazley,* 75 Va. 491. All the leading cases on this subject as to disqualification of grantees, mortgagees, trustees, beneficiaries, and *cestuis qui trustent,* are reviewed in *Horbach v. Tyrrel,* 48 Neb. 514; *Read v.*

PLEADING—LIBEL—COMPLAINT—IDENTIFICATION OF PLAINTIFF.—CORR V. SUN PRINTING CO., 69 N. E. 288 (N. Y.).—Where a person is libelled under the name of Kitty Carr, 35 years of age, and Kate Corr, 26 years of age, brings suit, *held,* that section 535 of the Code, providing that it is unnecessary to state extrinsic facts to show the application of the libelous matter to the